

Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

LINNE ROSE, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

BEHR PROCESS CORP., BEHR PAINT
CORP., MASCO CORP., THE HOME
DEPOT, INC., and HOME DEPOT U.S.A.,
INC.,

Defendants.

NO. 2:17-cv-01754-MJP

STIPULATION FOR EXTENSION OF
TIME TO SUBMIT JOINT REPORT
AND ORDER

NOTE ON MOTION CALENDAR

April 27, 2018

I. STIPULATION

Subject to approval of this Court, Plaintiff Linne Rose and Defendants Behr Paint Corp., Behr Process Corporation, Masco Corporation (collectively, "Behr"), The Home Depot, Inc. and Home Depot U.S.A., Inc. (collectively, "Home Depot"), by and through their attorneys, hereby stipulate and agree to extend the time to submit the Joint Status Report for thirty (30) days or up to and including May 30, 2018.

Behr is in the process of entering into a nationwide settlement that would fully resolve the claims relating to DeckOver against Behr and Home Depot that are asserted in Plaintiff's Complaint. Behr has recently reached an agreement in principle with respect to the substantive relief in a nationwide class action settlement with plaintiffs in three actions before

STIPULATION FOR EXTENSION OF TIME TO SUBMIT JOINT
REPORT AND [PROPOSED] ORDER – I
3:17-CV-06060

CARNEY BADLEY SPELLMAN, P.S.
701 Fifth Avenue, Suite 3600
Seattle, WA 98104-7010
(206) 622-8020

other district courts,¹ contingent upon finalizing a mutually-agreeable, written settlement agreement and of course, preliminary and final approval. The parties to that settlement are in the last stages of finalizing the written settlement agreement, and Behr has no reason to believe that a motion for preliminary approval will not be filed in the near term.

In light of the pending imminent nationwide settlement, to conserve judicial resources and to promote efficiency, the parties believe it would be appropriate to extend the time to submit the Joint Status Report for thirty (30) days or up to and including May 30, 2018.

Stipulated and presented this 27th day of April, 2018.

<p>TERRELL MARSHALL LAW GROUP</p> <p><i>/s/ Beth E. Terrell</i></p> <p>Beth E. Terrell, WSBA No. 26759 Email: bterrell@terrellmarshall.com Eric Riley Nusser, WSBA No. 51513 Email: enusser@terrellmarshall.com 936 N. 34th Street, Suite 300 Seattle, Washington 98103 Phone: 206-816-6603 Fax: 206-319-5450 Attorneys for Plaintiff and the Proposed Class</p>	<p>CARNEY BADLEY SPELLMAN</p> <p><i>/s/ Emilia L. Sweeney</i></p> <p>Emilia L. Sweeney, WSBA No. 23371 Email: sweeney@carneylaw.com Jason M. Kettrick, WSBA No. 35459 Email: kettrick@carneylaw.com Elliot C. Copenhaver, WSBA No. 46909 Email: copenhaver@carneylaw.com 701 Fifth Avenue, Suite 3600 Seattle, WA 98104 Phone: (206) 622-8020 Fax: (206) 467-8215 Attorneys for Defendants Behr Paint Corp., Behr Process Corporation and Masco Corporation</p>
<p>WHITFIELD BYSON & MASON, LLP</p> <p><i>/s/ Daniel K. Bryson</i></p> <p>Daniel K. Bryson, <i>Pro Hac Vice</i> Patrick M. Wallace, <i>Pro Hac Vice</i> Scott C. Harris, <i>Pro Hac Vice</i> 900 W. Morgan Street Raleigh, NC 27603 Phone: (919) 600-5016 Fax: (919) 600-5035 Attorneys for Plaintiff and the Proposed Class</p>	<p>MILLS MEYERS SWARTLING</p> <p><i>/s/ Caryn Geraghty Jorgensen</i></p> <p>WSBA No. 27514 Email: cjorgensen@millsmeyers.com John Feters WSBA No. 40800 Email: jfetter@millsmeyers.com 1000 2nd Avenue, 30 FL Seattle, WA 98104 Phone: (206) 382-1000 Fax: (206) 386-7343</p>

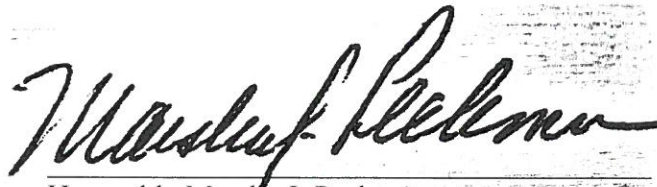
¹ Anderson v. Behr Process Corp., Case No. 1:17-cv-08735 (N.D. Ill.); Bishop v. Behr Process Corp., Case No. 1:17-cv-04464 (N.D. Ill.); and In re Behr, Case No. 8:17-cv-01016 (C.D. Cal.)

1		Attorneys for Defendants Home Depot, Inc. and Home Depot U.S.A., Inc.
2		
3		LATHAM & WATKINS LLP
4		<u>By:/s/ Kathleen P. Lally</u>
5		Mark S. Mester (pro hac vice)
6		mark.mester@lw.com
7		Kathleen P. Lally (pro hac vice)
8		kathleen.lally@lw.com
9		330 North Wabash Avenue, Suite 2800
10		Chicago, Illinois 60611
11		Phone: (312) 876-7700
		Fax: (312) 993-9767
		Attorneys for Defendants Behr Paint Corp., Behr Process Corporation and Masco Corporation

12 II. ORDER

13 It is so ordered.

14 Dated this 3rd day of May, 2018.

15
16
17 
18 Honorable Marsha J. Pechman

19
20
21
22
23
24
25
26
STIPULATION FOR EXTENSION OF TIME TO SUBMIT JOINT
REPORT AND [PROPOSED] ORDER – 3
3:17-CV-06060

CARNEY BADLEY SPELLMAN, P.S.
701 Fifth Avenue, Suite 3600
Seattle, WA 98104-7010
(206) 622-8020

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of April, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which caused all CM/ECF participants to be served by electronic means.

DATED this 27th day of April, 2018.

CARNEY BADLEY SPELLMAN, P.S.

By:/s//Andrea Williams

Andrea Williams, Legal Assistant

STIPULATION FOR EXTENSION OF TIME TO SUBMIT JOINT
REPORT AND [PROPOSED] ORDER – 4
3:17-CV-06060

CARNEY BADLEY SPELLMAN, P.S.
701 Fifth Avenue, Suite 3600
Seattle, WA 98104-7010
(206) 622-8020